

### **REMARKS**

Claims 1-29 and 34-42 are pending in the above-captioned patent application after this amendment. Claims 14-29, 34 and 36-38 are allowed. Claims 1-13, 30-33 and 35 are rejected. Figure 4 of the drawings has been objected to. The Applicant respectfully traverses the rejection claims 1-13 and 35. The Applicant has amended claim 11, has canceled claims 30-33 without prejudice, and has added new dependent claims 39-42, all for the purpose of expediting the patent application process in a manner consistent with the goals of the Patent Office pursuant to 65 Fed. Reg. 54603 (September 8, 2000), even though the Applicant believes that the previously pending claims were allowable.

Support for the amendment to claim 11 and for new claims 39-42 can be found throughout the originally filed application, including the originally filed claims, the drawings and the specification. No new matter is believed to have been added by this amendment. Consideration of the pending application is respectfully requested.

### **Objections to the Drawings**

The drawings are objected to under 37 CFR 1.83(a) because they fail to show/label "groove depth" 78 in Figure 4 as described in the specification on Page 13, line 6. Although "groove depth" 78 is illustrated in other locations in the drawings, the Applicant has provided formal replacement drawing sheets 2-4, which include Figure 4, in order to correct this obvious clerical error. Therefore, the objection is believed to have been overcome.

### **Rejections Under 35 U.S.C. § 112, First Paragraph**

Claims 1-13 and 35 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Patent Office asserts that the claims contain subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Patent Office contends that there is no support for the phrase "the groove having a groove length in a direction substantially along the circumference, and a groove bottom that is substantially

linear in a direction along the groove length.” The Applicant respectfully traverses the rejection of the Patent Office for the reasons which follow, and respectfully requests that the rejection be withdrawn.

The Applicant submits that the specification clearly describes and supports the claim language quoted above by the Patent Office. For example, the specification states as follows: “As illustrated in Figures 3 and 5-8, the grooves 32 are preferably aligned substantially parallel to the circumference 62 of the perimeter surface 56 of the first roller 30A. Stated another way, the grooves 32 form arcuate portions of parallel circumferences around the perimeter surface 56 of the first roller 30A.” (Specification page 13, lines 16-19; Figures 3 and 5-8; emphasis added).

Additionally, the specification states: “On the other hand, the arcuate portions can each have substantially similar groove lengths 74 within the same circumference, forming a non-random pattern. For instance, Figure 4 illustrates that the circumferential positioning of the grooves 32 can be repeated every 60 degrees along the perimeter surface 56.” (Specification page 13, lines 23-27; Figure 4; emphasis added). Thus, not only does the written description portion of the specification provide support for the claim language in the rejected claims, the Figures likewise clearly provide support for the claim language. Therefore, the Applicant respectfully submits that the rejection of claims 1-13 and 35 by the Patent Office under 35 U.S.C. § 112, first paragraph, be withdrawn.

#### **Rejections Under 35 U.S.C. § 112, Second Paragraph**

Claims 1-13 and 35 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, for the reasons set forth above relative to 35 U.S.C. § 112, first paragraph. The Applicant respectfully traverses the rejection by the Patent Office for the reasons set forth above relative to 35 U.S.C. § 112, first paragraph, and incorporates by reference those arguments. Therefore, the rejection of claims 1-13 and 35 under 35 U.S.C. § 112, second paragraph, should be withdrawn.

### **Rejections Under 35 U.S.C. § 102**

Claims 1, 10 and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by Daly (US 5,199,168). The Applicant respectfully traverses the rejection of claims 1, 10 and 13 on the grounds that Daly does not teach or suggest the features of the rejected claims for several reasons, as set forth below.

In contrast to the position of the Patent Office, Daly does not teach or suggest that the bottom of the groove 50 is substantially linear. In other words, the groove bottom disclosed by Daly is not a straight line, but is curved to account for the rounded contour of the perimeter of the roller. Stated another way, the groove bottom is necessarily curved because the roller is curved and the groove has a uniform depth.

In contrast to Daly, claim 1 is directed toward a guide assembly that requires “a rotatable first roller including a perimeter surface, a circumference, a longitudinal axis and a groove disposed into the perimeter surface, the groove having a groove length in a direction substantially along the circumference, and a groove bottom that is substantially linear in a direction along the groove length.” These features are not taught or suggested by the cited references. Thus, the rejection of claim 1 that relies on Daly is unsupported, should be withdrawn, and claim 1 should be allowed. Because claims 10 and 13 depend from claim 1, the rejection of these claims is likewise unsupported by Daly. Thus, the rejection under 35 U.S.C. §102(b) of claims 10 and 13 should similarly be withdrawn, and these claims allowed.

### **Rejections Under 35 U.S.C. § 103**

Claims 2-9, 12, 30-33 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daly in view of Sawano et al. (JP 10-106074). Further, claims 5-9, 11-12 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hikita as applied to claims 1-4 and 10 above or Hikita as applied to claims 1-4, 10, 14-15, 20-21 and 26-27 above. As provided above, claims 30-33 have been canceled without prejudice by this amendment. Therefore, the rejection of claims 30-33 is believed to be moot.

Additionally, as set forth above, claim 1 is believed to be allowable. Because claims 2-9, 12 and 35 depend directly or indirectly from claim 1, they are also believed to

be allowable. Therefore, the Applicant respectfully submits that the rejection of these claims should be withdrawn.

Finally, as provided in a prior Amendment and Response to Office Action filed on April 5, 2007, the Applicant respectfully traversed the rejection under 35 U.S.C. § 103(a) of claims 5-9, 11-12 and 35 on the grounds that Hikita cannot be used as prior art in this matter based on the declaration pursuant to 37 CFR §1.131 of inventor, Ken Hanscom, filed previously.

#### **Allowed Claims / New Claims**

Claims 14-29, 34 and 36-38 have been allowed.

Additionally, new dependent claims 39-42 have been added by this amendment. New claims 39-42 are of a slightly different scope than the previously pending claims. However, in view of the cited references, new claims 39-42 are believed to be allowable.

In particular, new claims 39-41 depend from claim 34, which has been allowed. Therefore, claims 39-41 should likewise be allowed. Further, new claim 42 depends from claim 36, which has been allowed. Therefore, new claim 42 should likewise be allowed.

### **Conclusion**

In conclusion, the Applicant submits that claims 1-29 and 34-42 are allowable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 858-635-2142 for any reason that would advance the instant application to issue.

Dated this the 30<sup>th</sup> day of June, 2009.

Respectfully submitted,

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